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Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING
LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF WENDY J. RAY IN
SUPPORT OF UBER TECHNOLOGIES,
INC. AND OTTOMOTTO LLC'S
RESPONSE TO WAYMO LLC'S
SECOND SUPPLEMENTAL BRIEF IN
SUPPORT OF ITS MOTION FOR
ORDER TO SHOW CAUSE WHY
DEFENDANTS SHOULD NOT BE
HELD IN CONTEMPT OF THE
PRELIMINARY INJUNCTION ORDER
(DKT. 426) AND EXPEDITED
DISCOVERY ORDER (DKT. 61)**

Trial Date: December 4, 2017

1 I, Wendy J. Ray, declare as follows:

2 1. I am a member of the bar of the State of California and a partner with Morrison &
3 Foerster LLP, counsel of record for Defendants Uber Technologies, Inc. and Ottomotto LLC
4 (collectively “Uber”) in this action. I am admitted to practice before this Court. I submit this
5 declaration in support of Uber Technologies, Inc. and Ottomotto LLC’s Response to Waymo
6 LLC’s Second Supplemental Brief in Support of its Motion for Order to Show Cause Why
7 Defendants Should Not Be Held in Contempt of the Preliminary Injunction Order (Dkt. 426) and
8 Expedited Discovery Order (Dkt. 61). I am one of the attorneys at Morrison & Foerster that
9 oversaw discovery efforts in this litigation. I make this declaration based on personal knowledge.
10 If called as a witness, I could and would testify competently to the matters set forth herein.

11 2. Uber’s search parameters for potentially misappropriated material were litigated
12 before the Court early in the case, resulting in Uber applying 15 search terms provided by
13 Waymo. On April 13, 2017, I participated in a meeting with the Special Master, John Cooper,
14 Waymo’s forensic consulting expert, Jeremy Bellah of Discovia, Uber’s consulting forensic
15 expert, Sam Rubin, and Waymo’s counsel, Jeff Nardinelli, to discuss Uber’s search methodology.
16 Charles Verhoeven, counsel for Waymo, and Arturo González, counsel for Uber and Ottomotto,
17 also attended a portion of the meeting. During the meeting, Mr. González and I repeatedly
18 offered to do any reasonable searches Waymo proposed. Mr. Rubin explained Uber’s search
19 efforts and answered questions from Messrs. Bellah and Nardinelli. After the meeting I provided
20 additional information requested by Messrs. Bellah and Nardinelli during the meeting, including
21 metadata and hit count information. Mr. Nardinelli and I exchanged several follow-up emails.
22 Neither Waymo nor its expert ever made any suggestions about additional searches to perform
23 outside of the 15 terms Waymo proposed.

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I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of October, 2017 at Los Angeles, California.

Wendy J. Ray

I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Wendy J. Ray has concurred in this filing.

Arturo J. González